

***IN THE DISTRICT COURT OF THE UNITED STATES***

***for the Western District of New York***

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**OCTOBER 2019 GRAND JURY  
(Impaneled 10/18/2019)**

**THE UNITED STATES OF AMERICA**

**INDICTMENT**

**-vs-**

**JOSEPH BELLA**

**Violations:**

Title 18, United States Code, Sections  
922(g)(3) and 924(c)(1)(A)(i);  
Title 21, United States Code,  
Section 856(a)(1)

(3 Counts and Forfeiture Allegation)

**COUNT 1**

**(Maintaining a Drug-Involved Premises)**

**The Grand Jury Charges That:**

On or about April 23, 2020, in the Western District of New York, the defendant, **JOSEPH BELLA**, did knowingly, intentionally, and unlawfully use and maintain a place, that is, the premises at 224 Summer Street, Buffalo, New York, for the purpose of manufacturing, distributing, and using marijuana, delt9-tetrahydrocannabinol, cannabinal, 3,4-methylenedioxymethamphetamine (MDMA), and psilocybin, Schedule I controlled substances; and cocaine and lisdexamphetamine, Schedule II controlled substances.

**All in violation of Title 21, United States Code, Section 856(a)(1).**

**COUNT 2**

**(Possession of Firearm in Furtherance of Drug Trafficking)**

**The Grand Jury Further Charges That:**

On or about April 23, 2020, in the Western District of New York, the defendant, **JOSEPH BELLA**, in furtherance of a drug trafficking crime for which he may be prosecuted

in a court of the United States, that is, a violation of Title 21, United States Code, Section 856(a)(1), committed in the manner set forth in Count 1 of this Indictment, the allegations of which are incorporated herein by reference, did knowingly and unlawfully possess a firearm.

**All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).**

**COUNT 3**

**(Possession of Firearm and Ammunition by an  
Unlawful User of Controlled Substances)**

**The Grand Jury Further Charges That:**

On or about April 23, 2020, in the Western District of New York, the defendant JOSEPH BELLA, knowing that he was then an unlawful user of controlled substances as defined in Title 21, United States Code, Section 802, that is, marijuana, delta-9-tetrahydrocannabinol, cannabidiol, 3,4-Methylenedioxymethamphetamine (MDMA), and psilocybin, Schedule I controlled substances; and cocaine and lisdexamfetamine, Schedule II controlled substances, unlawfully did knowingly possess, in and affecting commerce, a firearm and ammunition, namely:

- a. One Harrington and Richardson, model Topper 88, 12 gauge shotgun bearing serial number AU519161;
- b. Ten 12-gauge rounds of ammunition labeled "REMINGTON 12 GA" on the headstamp;
- c. 33 9mm Luger caliber rounds of ammunition labeled "Blazer 9mm LUGER" on the headstamp; and
- d. 40 .223 REM caliber rounds of ammunition labeled "Tulammo 223 Rem" on the headstamp.

**All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).**

**FORFEITURE ALLEGATION**

**The Grand Jury Alleges That:**

Upon conviction of any of the counts of this Indictment, the defendant, **JOSEPH BELLA**, shall forfeit all his right, title, and interest to the United States of any firearms and ammunition involved and used in the commission of the offense, and found in his possession or under his immediate control at the time of arrest, including, but not limited to:

- a. One Harrington and Richardson, model Topper 88, 12 gauge shotgun bearing serial number AU519161;
- b. Ten 12-gauge rounds of ammunition labeled “REMINGTON 12 GA” on the headstamp;
- c. 33 9mm Luger caliber rounds of ammunition labeled “Blazer 9mm LUGER” on the headstamp; and
- d. 40 .223 REM caliber rounds of ammunition labeled “Tulammo 223 Rem” on the headstamp.

**All pursuant to Title 18, United States Code, Sections 924(d) and 3665, and Title 28, United States Code, Section 2461(c).**

DATED: Buffalo, New York, July 23, 2020.

JAMES P. KENNEDY, JR.  
United States Attorney

BY: S/BRENDAN T. CULLINANE  
Assistant United States Attorney  
United States Attorney’s Office  
Western District of New York  
138 Delaware Avenue  
Buffalo, New York 14202  
716/843-5875  
Brendan.Cullinane@usdoj.gov

A TRUE BILL:

S/FOREPERSON